

REMARKS/ARGUMENTS

Claim Status

Claims 1-43, 47-49, 65-82, 84-86 are pending in this application. Of these, Claims 43, 47, and 49 are withdrawn from consideration, Claims 44-46, 50-64, 83 are canceled herein, and Claims 84-86 added.

For the record, Applicants respectfully note what appears to be an error in the *Disposition of Claims* section of the Office Action dated May 10th, 2007, which inadvertently left out Claims 81-83. Said claims were added on November 4th, 2005 and subsequently entered, as evidenced by the file history. *See, e.g.* Office Actions dated January 26th, 2006 and June 28th, 2006.

Restriction Requirement/Specie Election

For the record, Applicants also wish to reiterate their November 4th, 2005 election of Group I, drawn to processes of converting a feedstock. As newly added Claims 84-86 are likewise drawn to the same subject matter, it is respectfully requested these claims be examined in conjunction with the claims of Group I.

With respect to Examiner's Specie Election requirement dated May 10, 2007 and supplementing Applicants' allowed specie of "turkey offal," Applicants elect without traverse the specie of "**animal processing waste**" for further examination.

In light of Examiner's characterization of "*animal manure*" and "*animal waste*" as patentably distinct species and pursuant to MPEP 808.01(a), Applicants believe Examiner intended to refer to the specie of "animal processing waste" when using the term "*animal waste*" in the May 10th, 2007 Office Action. For reference, MPEP 808.01(a) provides that, "(i)n making a requirement for restriction in an application claiming plural species, the Examiner should group together species considered clearly unpatentable over each other." The currently elected specie is supported, *inter alia*, by Example 3 of the instant specification.

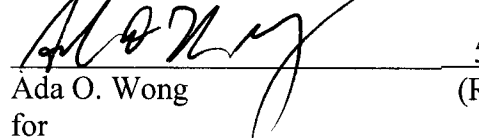
Claims 1-21, 25-26, 40-42, 48, 75-82, 84-86 read on the elected specie. However, Applicants submit that Claims 1-21, 40-42, and 48 are generic with respect to the specie election as these claims are not specifically directed to a particular type of feedstock.

Applicants reserve the right to prosecute the unelected claims in any number of continuing or divisional applications.

In view of the foregoing remarks, it is believed that the application is now in form for examination on the merits and an early and favorable office action is earnestly solicited.

Date: November 13, 2005

Respectfully submitted,



Ada O. Wong 55,740
(Reg. No.)

for
Thomas D. Kohler Reg. No. 32,797
MORGAN, LEWIS & BOCKIUS LLP
2 Palo Alto Square
3000 El Camino Real, Suite 700
Palo Alto, CA 94306-2212
(415) 442-1106